



Atty. Dkt. No. 041457-0661

Zhu
RCE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David HOUZE et al.

Title: COMPOSITION AND
METHODS FOR DRUG
DELIVERY

Appl. No.: 09/768,831

Appl. Filing Date: 01/24/2001

Examiner: I. Ghali

Art Unit: 1615

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. **Submission required under 37 C.F.R. §1.114:** (check items that apply)

a. Previously submitted:

Please enter and consider the amendment/reply previously filed on ____.

Please consider the Affidavit(s)/Declaration(s) previously filed on ____ but not considered.

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[] Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on ____.

[] Other ____.

b. Enclosed are:

[X] Amendment/Reply.

[] Affidavit(s)/Declaration(s).

[] Information Disclosure Statement.

[] Form PTO-1449 with copies of ____ listed reference(s).

[] Other .

Miscellaneous:

[] Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ____ months.

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$790.00	= \$790.00
Total Claims:	31	-	31 = 0	x \$50.00	= \$0.00
Independents	4	-	4 = 0	x \$200.00	= \$0.00
First presentation of any Multiple Dependent Claims:			+ \$360.00		= \$0.00
				CLAIMS FEE TOTAL:	= \$790.00

[X] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[]	Extension for response filed within the first month:	\$120.00	0	\$0.00
[]	Extension for response filed within the second month:	\$450.00		\$0.00
[]	Extension for response filed within the third month:	\$1,020.00		\$0.00
[]	Extension for response filed within the fourth month:	\$1,590.00		\$0.00
[X]	Extension for response filed within the fifth month:	\$2,160.00		\$2,160.00
	EXTENSION FEE SUBTOTAL:			\$2,160.00
	EXTENSION FEE ALREADY PAID:			\$0.00
	EXTENSION FEE TOTAL			\$2,160.00
	CLAIMS AND EXTENSION FEE TOTAL:			\$2,950.00
[X]	Small Entity Fees Apply (subtract ½ of above):			\$1,475.00
[]	Suspension of action requested under 37 C.F.R. § 1.103(c)			\$0.00
	TOTAL FEE:			\$1,475.00

[] Please charge Deposit Account No. 19-0741 in the amount of \$1,475.00. A duplicate copy of this transmittal is enclosed.

[X] A check in the amount of \$1,475.00 to cover the filing fee is enclosed.

[X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date January 31, 2005

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 295-4094
Facsimile: (202) 672-5399

By Courtenay C. Brinckerhoff

Courtenay C. Brinckerhoff
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